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TAGS: [KDEM](#) [PGOV](#) [IZ](#)

SUBJECT: IRAQI ELECTION LAW UPDATE OCTOBER 15, 2009

REF: A. BAGHDAD 2766
[1](#)B. BAGHDAD 2745
[1](#)C. BAGHDAD 2767

Classified By: Acting Deputy Chief of Mission Gary A. Grappo for Reason
s 1.4(b) and (d).

State of Play -----

[1](#)1. (C) At the October 15 Council of Representatives (COR) session, Speaker Ayad al-Samarra'i announced that a vote on the election law would take place on Sunday, October 18 at the soonest. He added that, in the event that the Legal Committee, which is responsible for drafting the text, was not ready for a vote on Sunday, then the vote would be held on Monday, October 19. Samarra'i's public announcement was in line with what he told us yesterday privately (Ref A). There was no mention of a possible vote of no confidence for the Independent High Electoral Commission (IHEC) during today's session (Ref B).

Kurd, Shia MPs optimistic -----

[1](#)2. (C) Sa'adi al-Barzinji, the KDP-aligned COR leader, told poloff that he was confident there would be a vote on the election law on Monday, October 19. Shia MP Khalid Attiya also expressed strong confidence to poloff that the law would be passed on October 19.

Kirkuk Remains in Question -----

[1](#)3. (C) Salim al-Jeboori, IIP MP and Deputy Chair of the COR Legal Committee, told poloffs that Kirkuk is the key issue blocking progress on an election law, and he did not see how a vote on the law would happen by October 19. He indicated at this point in the process, it is time for people to "take sides" and "exert pressure" to get the law passed. Jeboori said that the U.S. should assist by putting pressure on different groups to move them toward consensus. As expected, Jeboori was adamant about the Kirkuk initiative. He claimed that "it is impossible to use the 2009 voter registry" in Kirkuk, and suggested it would be better for elections in Kirkuk to be delayed while the rest of the provinces move toward elections on time in January. Jeboori added that elections should not take place in Kirkuk province until the voter registry is adequately prepared. On open versus closed lists, Jeboori remarked that the Iraqi people would not accept an election that does not use open lists.

[1](#)4. (C) In private meetings, Sunni MP Osama al-Najafi, and the brother of Ninewa governor Atheel al-Najafi, told poloff that he strongly supported what has been called Samarra'i's "Kirkuk Initiative" (Ref C). Najafi said that he already accepts that it is unlikely that a special committee will be able to complete review of the entire voter list in Kirkuk province before national elections planned for January, but that it must be done anyway. He added that, if there were more time, it would better to verify the validity of not only

the voters added to the Kirkuk voter registry since 2004, but those added since the 1957 census. IIP MP Hashim al-Taee expressed strong support for the so-called "Kirkuk Initiative," opining that some do not want a solution for Kirkuk because they do not want elections.

Next Steps

15. (C) So far, Samarra'i -- and we will try to see the Speaker at least one more time before Sunday -- has delivered what he told us he could (e.g. the investment law, the British SOFA). He was clear with the Ambassador October 14 that he could shepherd a law through the COR by October 19. We continue to engage with our GOI contacts and senior officials to underline the importance of prompt passage of the law. We will keep up that effort until the COR delivers.

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